

**Ambiga: Bersih's 'People's Tribunal' a 'moral force' to investigate electoral fraud**  
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**BY CLARA CHOOI**

KUALA LUMPUR, May 21 — Bersih 2.0's "People's Tribunal" may not have any legal standing but will serve as a "moral force" to investigate allegations of electoral fraud, said Datuk Ambiga Sreenivasan when defending the polls watchdog's final attempt at proving wrongdoing in the May 5 polls.

The renowned civil rights activist told The Malaysian Insider that Bersih 2.0 will soldier on with its plan to set up the tribunal which, she said, should be announced in two or three weeks' time, despite earning condemnation from polls regulator Election Commission (EC).

"It is true that it is not set up under any law or statute. That is why it is called the People's Tribunal," she said.

"It will be an evidence-gathering tribunal and what we have is the moral force to examine the allegations. That is its main aim — to gather evidence," she added.

On May 6, a day after the tumultuous 13th general election, Bersih 2.0 announced its plan to set up the tribunal to look into the hundreds of reports of alleged cheating that took place during the polls.

The coalition of over 80 non-governmental organisations insisted that the polls results had favoured the ruling Barisan Nasional (BN) largely because of these irregularities, and said it would not recognise the outcome until it had verified all allegations of fraud.

In the polls, BN continued its half-a-century unbroken rule and emerged victors yet again despite winning with a significantly smaller seat majority in the 222-seat Parliament.

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The ruling pact snapped up 133 seats this time to Pakatan Rakyat's (PR) 89, failing yet again to recapture the coveted two-thirds parliamentary majority that it first lost in the 2008 general election.

PR refused to accept its losses, however, pointing to the fact that it had won the overall popular vote by scoring 51 per cent of votes cast, while BN only took 48 per cent — an outcome reminiscent of the 1969 polls when the ruling pact first lost the popular vote.

The federal opposition pact of PR has since confirmed plans to file election petitions to challenge the results in 27 federal seats where BN had won with marginal majorities, allegedly due to electoral fraud.

PKR strategy director Rafizi Ramli has also said that the same complaints will be brought before Bersih 2.0's "People's Tribunal" where, he said, PR's evidence was likely to be treated with more seriousness than in any court of law.

Ambiga told The Malaysian Insider that the tribunal will be presided over by a five-member panel, which will include individuals of repute and who will not be members of any political

parties or even from Bersih 2.0 itself.

She said the panel will likely come up with a set timeframe to conduct its probe, apart from deciding on appropriate terms of reference before commencing any hearing.

"We will then expect some sort of recommendations or findings to be made. This will be presented to all the relevant authorities, including human rights bodies like Suhakam," she said.

"For Bersih... our role is just to facilitate the setting up of the tribunal. Further to that, we will not get involved. It must be completely independent," she added.

Ambiga also explained that the setting up of the tribunal was taking longer than originally planned due to the complexity of its scope of investigation, as well as the selection of its panel members.

"We originally wanted to have it done by June but it looks impossible at this point. We should announce the panel within two or three weeks' time.

"But as to when the panel will begin their hearings, that would be entirely up to the members to decide," she said.

Despite widespread protests against its handling of the 13th general election, the EC has insisted that it had conducted the polls fairly and successfully, citing the higher turnout of voters at a whopping 84 per cent as evidence of voters' confidence in the Malaysian electoral system.

"We have conducted a successful polls, there was an 85 per cent turnout... we have good job as you can see from the turnout," EC deputy chairman Datuk Wan Ahmad Wan Omar said last week.

PR has been organising mammoth rallies across the country to prove voter dissatisfaction against the polls, which PR de facto chief Datuk Seri Anwar Ibrahim has insisted had been stolen from his pact.

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